

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-53. (canceled).

54. (Previously Presented) A writing instrument comprising:
an elongate body having first and second ends;
a writing mechanism projecting from the body first end; and
a deformable sleeve having a generally tubular base with a first diameter and defining an inner surface engaging the body near the writing mechanism, a generally tubular outer membrane with a second diameter larger than the first diameter positioned generally concentric with the base, wherein respective ends of the base and outer membrane engage to define a cavity therebetween, a sealable passageway defined between adjacent ends of the tubular base and outer membrane in fluid communication with the cavity, and a formable material disposed in the cavity.

55. (Previously Presented) The writing instrument of claim 54, in which the base and outer membrane are integrally formed from a single piece of material.

56. (Currently Amended) The writing instrument of claim 55, in which the piece of material comprises an elongate tubular member of flexible material having a first end, a second end, a larger diameter portion, and a smaller diameter portion, wherein ~~and~~ an intermediate portion of the smaller diameter portion is folded so that a remainder of the smaller diameter portion passes through the larger diameter portion and the first end is adjacent the second end, thereby to form the base and outer membrane.

57. (Previously Presented) The writing instrument of claim 56, in which the intermediate portion defines a 180 degree fold.

58. (Previously Presented) The writing instrument of claim 56, in which the adjacent first and second ends of the folded elongate tubular member define the passageway.

59. (Previously Presented) The writing instrument of claim 54, in which the base and outer membrane are generally cylindrical.

60. (Previously Presented) The writing instrument of claim 54, in which the base and outer membrane are bonded together.

61. (Previously Presented) The writing instrument of claim 54, in which the formable material holds a deformed shape for at least 5 seconds following release by a user of the outer membrane.

62. (Previously Presented) The writing instrument of claim 54, in which opposite ends of the base and outer membrane engage one another to form flat edge portions on opposite ends of the sleeve.

63. (Previously Presented) The writing instrument of claim 54, in which the base inner surface is sized to frictionally engage the body.

64. (Previously Presented) A method of forming a tubular sleeve on a writing instrument having an elongate body defining first and second ends and a writing mechanism projecting from the first end, the method comprising:

providing an elongate tubular member of flexible material having a first end, a second end, a larger diameter portion, and a smaller diameter portion;

folding the smaller diameter portion back through the larger diameter portion so that the first end is adjacent the second end, thereby to form the tubular sleeve with a generally tubular base defining an inner surface and a generally tubular outer membrane concentric with the base, a cavity being defined between the base and outer membrane;

placing the generally tubular base over the body so that the inner surface engages the body near the writing mechanism;

separating the first and second ends of the tubular member to define a passageway in fluid communication with the cavity;

passing formable material through the passageway to fill the cavity; and

sealing the first and second ends of the tubular member to close the passageway.

65. (Previously Presented) The method of claim 64, in which a tube is inserted between the first and second ends of the tubular member to define the passageway.

66. (Previously Presented) The method of claim 64, in which the first and second ends of the tubular member are sealed with adhesive.

67. (Previously Presented) The method of claim 64, in which the first and second ends of the tubular member are sealed by heat.

68. (Previously Presented) The method of claim 64, in which an end of the tubular sleeve opposite the adjacent first and second ends of the tubular member is positioned below the first and second ends of the tubular member as the formable material is passed through the passageway.

69. (Previously Presented) The method of claim 64, further comprising squeezing the outer membrane to remove trapped air from the cavity prior to sealing the first and second ends of the tubular member.